



*Department of Resources and  
Economic Development*



**Hampton Beach Area Commission  
100 Winnacunnet Road  
Hampton, New Hampshire 03842**

**Monthly Meeting –November 29, 2012  
Hampton Police Station – 2<sup>nd</sup> Floor Training Room  
7 PM**

**DRAFT MINUTES**

**In Attendance:**

John Nyhan, Chairman, Town of Hampton  
Fran McMahon- Rockingham Planning Commission  
Bob Preston- Hampton Chamber of Commerce  
Chuck Rage, Hampton Beach Village District  
Bill Watson, Vice Chairman-NH Department of Transportation  
Rick Griffin, Town Selectmen  
Michael Housman, Operations Supervisor, DRED (Seacoast Parks/Recreation)  
Walter Kivlan - Hampton Beach Village District

ABSENT: Deputy Richard Sawyer, Citizen at Large

**Other:** Laurie Olivier- Secretary  
James Steffen – Town Planner

Introduction of Commissioners

Public Comment Session – related to agenda items

Mr. Charlie Preston discussed a recent letter written into DRED by Mr. Charlie Peckham, Jr. He read Mr. Peckham's most recent 'Letter to the Editor' of the *Hampton Union* to the Commission, which was a letter of apology or sorts. Mr. Preston discussed other concerns from other visitors to Hampton with regard to parking and ticketing.

Review & approval of September & October Minutes

Mr. Nyhan asked for September Minutes comments and changes, if any.

**MOTION** by Mr. Rage to accept the September Minutes.

**SECOND** by Mr. McMahon.

**VOTE: 5 – 0 – 3 (Kivlan, Griffin Watson)**

**MOTION PASSED.**

Mr. Nyhan asked for October Minutes comments and changes, if any.

**MOTION** by Mr. Preston to accept the October Minutes.

**SECOND** by Mr. Kivlan.

**VOTE: 7 – 0 – 1 (Housman)**

**MOTION PASSED.**

Appointments

1. None

Chairman's Report

1. Update – Commissioners - appointments/reappointments

Mr. Nyhan stated that he was reappointed as the Town representative for another three years with the help of Mr. Griffin. Bill and Mike's positions are ongoing.

2. Annual Election of Officers

Mr. Nyhan stated that the Commission has eight of nine Commissioners present tonight, and if the Commission feels comfortable with moving forward with the elections of Chairman, Vice Chairman and Secretary/Treasurer (new position), the elections can go forward. Mr. Nyhan stated that he feels the Commission needs a Treasurer this year because of the financial status of the Commission. With the grant funds coming from the DOT and existing monies in the account, Mr. Nyhan feels it is necessary. He asked if the Commission wants to move forward with the elections or to wait until the next meeting. The Commission wishes to go forward tonight.

Mr. Kivlan confirmed that Ms. Olivier is the Secretary of Commission. He asked if a new person would just need to take on the treasury work and Mr. Nyhan stated "yes". Mr. Nyhan opened up the floor for the following elections:

**CHAIRMAN:**

**NOMINATION** by Mr. Preston to nominate Mr. Nyhan to be Chairman of the Commission.

**SECOND** by Mr. Rage.

**VOTE: 7 – 0 – 1 (Nyhan)**

**MOTION PASSED.**

**VICE CHAIRMAN:**

**NOMINATION** by Mr. Preston to Mr. Watson.

**SECOND** by Mr. McMahon.

**VOTE: 7 – 0 – 1 (Watson)**

**MOTION PASSED.**

Mr. Nyhan added his concurrence with the Commission that Mr. Watson does a lot for the Commission, along with Mr. Housman.

**TREASURER:**

**NOMINATION** by Mr. Kivlan to nominate Mr. Housman.

**SECOND** by Mr. Griffin.

**VOTE: 7 – 0 – 1 (Housman)**

**MOTION PASSED.**

3. HBAC Financial Report

Mr. Nyhan stated two invoices were approved and they've been sent for payment. One invoice is to the Town of Hampton to cover Ms. Olivier's services, and one invoice was for a lost invoice regarding the gala, it was for the gentleman who would create the sand castles. The balance in the account is a little over \$20,000 right now. Mr. Nyhan wants to think of ways of using that money. Mr. Housman asked what the money can be used for. It can be utilized for redevelopment of Hampton Beach, but the uses of the money can be very broad.

Old Business

1. Discussion – Transportation Grant – (Bill Watson)

Mr. Watson has a meeting next Friday morning. The MOU draft will be considered at that meeting. The Department offered to manage the funds. They need an agreement in place first. They also have to go through a Legislative budget process—the fiscal committee. That meeting will be scheduled in January. Mr. Nyhan asked about restrictions and dates. Mr. Watson said there are no constrictions of time at this time. The State does not want them to jump in and ask them to start spending.

Mr. Nyhan asked Mr. Kivlan if he wants a copy of the application so he can understand what the grant is going to accomplish and what is being suggested, etc, and Mr. Kivlan would like that application.

Mr. Nyhan discussed the RPC transportation plan. He discussed engineering firms, feasibility study and conceptual design. The review started with five proposals and is now down to one. McFarland Johnson has been chosen. That Firm is based out of Concord. The RPC is happy with the choice. There will be many meetings throughout the winter and spring. The intermodal study could work into the HBAC study for transportation in the future. A by-way study is being done as well.

Mr. McMahon discussed the Town's efforts in the downtown area with regard to zoning and the rail corridor. He stated it will all need to fit together. He asked that McFarland Johnson contact Mr. Steffen in the Planning Department. The local study is underway. It is through the Community Planning grant. The timeframe is up in the air right now. Mr. Griffin said the State gets it first. Mr. Griffin said Mr. Welch is letting the State know of the Town's interest. Mr. McMahon said the Town has a real opportunity with this project.

## 2. Discussion - DRED updates (Housman/Nyhan)

Mr. Housman will be meeting with Mr. Welch on December 12<sup>th</sup> to review the joint operations plan between the Town and DRED.

The North Hampton bathhouse is moving along well. The roof will be on soon. The interior work will be done in the winter. It will be open for next season.

Dredging is moving along quickly. After the holidays it will be in Hampton. There will be a New Year's Eve gala in front of the pavilion and he will send out information on that.

Mr. Rage discussed the bathhouses at the end of Winnacunnet Road, located on the south end of the North Beach. Mr. Housman said maybe porter potties could be placed there. Mr. Griffin does not think there should be bathrooms there.

## 3. Other old business

Mr. Kivlan discussed hurricane Sandy. He discussed how he felt the Town and the State did a great job. He thanked Mr. Housman and asked that that be relayed to the State. He discussed re-scraping Ocean Blvd.

Mr. Griffin discussed a recent motion made to start a warrant article about the noise ordinance. It was decided that the Town can't rush into that. He thinks the HBAC should get involved with that in the future. This discussion occurred at a Selectmen's meeting. Community input may be needed later on.

Mr. Preston said if it gets to that point, the HBAC should be involved. Mr. Preston thinks the policemen and Selectmen would do a good job.

## New Business

### 1. Letter – Sal Lupoli – - Lupoli Companies - Requesting a meeting with the HBAC

Mr. Nyhan sent a letter on behalf of the Commission to Mr. Lupoli requesting a meeting with the HBAC. He will then invite him to a presentation at one of our meetings. He is waiting to hear back from his office and he will keep the Commission informed.

### 2. Meeting Request – Hampton Town Recreation, HBVD and HBAC regarding Charlie Preston's ideas and recommendations

Mr. Nyhan discussed Mr. Preston's positive comments and recommendations regarding getting the Town Recreation Department, Beach Commission and Village Precinct to meet and discuss their ideas. Mr. Rage noted that there is a meeting planned for next Wednesday. Mr. Charlie Preston will be there also with the Precinct and the Town. Ideas will be discussed. Mr. Nyhan was with Ms. Martin of the Recreation Department today and she is interested in participating in this meeting. She feels she represents the Town, and if there are funds available for recreational purposes, she would like to share in those funds.

Mr. Rage said next Wednesday evening is the Precinct meeting and he will discuss the above at that time. Mr. Nyhan will update everyone on the Commission. He sees the HBAC as a facilitator in getting the Town to discuss recreational matters. The HBAC cannot directly be involved. He discussed making a donation from our fund.

Mr. Griffin asked about White's Island pulling out of the Precinct. There will be a public hearing on December 17<sup>th</sup> with the Selectmen. He asked if anyone wants to speak on this. Mr. Rage is interested. The Selectmen have to feel it's warranted to pass this on. Mr. Griffin is not sure if that is how it works.

Mr. Preston said he feels the Island's comments are far from the truth. Mr. Griffin wants Mr. Preston to come and speak. Mr. Kivlan agrees with Mr. Preston. Mr. Preston said a lot of money is spent to bring people to come to the Island and the Island has many renters. Mr. Rage said many people from Sun Valley signed the list as well. The Island is benefitting from what the Precinct does. The Island enjoys the playground and other amenities offered by the Precinct.

Mr. Griffin mentioned that there are business people who own the property in the Precinct and they want to take part in this conversation/matter as well. Mr. Rage agrees.

### 3. Other new business

Mr. Watson discussed Mr. Steffen being appointed the new Chairman of the Transportation Advisory Committee of the Rockingham Planning Commission. Updating the State's 10-year transportation plan will be addressed. The Hampton River Bridge, Ocean Blvd, etc., will be dealt with through Mr. Steffen's representation of the RPC. The Town should get their ideas to Mr. Steffen.

Mr. Steffen said they are meeting December 13<sup>th</sup> (Thursday) and that is one of the items to be discussed. Long-range plans for the transportation plan will be discussed as well.

Mr. Nyhan asked how that works and what advice Mr. Steffen can give to the HBAC. Mr. Steffen said to lobby the Selectmen to get the projects in the pipeline. Mr. Steffen said March and April of next year is when it will really get moving. Mr. McMahon said it's important to get the Selectmen to submit to the Town to getting into the game. Mr. McMahon doesn't know what the cost to the Town is. Mr. Griffin said someone should bring that before the Selectmen. This Commission could also work with the Selectmen.

Mr. Nyhan asked about the step-by-step process. He asked if the Commission should get a vote and asked if the Commission should go to the Planning Board first. Mr. McMahon thinks the Planning Board would endorse this. Mr. Steffen said the Master Plan sets the stage.

Mr. Watson said this is brought forward by the Selectmen; the Planning Commission staff will come into Towns and ask for ideas, collect data and get project ideas. It will then come up with local priorities (through the winter). The Planning Commission staff then applies the criteria that they will review and then prioritize. Most priorities will be sent for consideration. All projects will be prioritized. From April through June/July, all recommendations will be identified prior to the election of what the priority areas will be and go from there. District engineers will be very involved. By late summer, it will be presented to Council and the hearing process will start.

Mr. Nyhan asked if this should be put on the HBAC's next meeting agenda. Mr. McMahon said there may be some smaller type projects that should be thought about as well. Smaller projects should be on the agenda as well. The Church Street intersection is a smaller project, but should be addressed. The Commission could come up with projects and submit it to the Selectmen. Mr. Kivlan discussed the sidewalk/crosswalk technology and pedestrian safety.

Transportation priority projects should be worked on first per Mr. Watson.

Mr. Nyhan will put this on the agenda for further discussion for the next meeting.

Mr. Kivlan discussed the need for a sidewalk and Crosswalk at the State Park entrance. It would be used not just for the patrons of the State park and campers, but for bridge attendants as well. Mr. Watson said this is a DRED and DOT matter. This was looked at a year ago per the request of Mr. Welch. The DOT & DRED need to line people up to get these crosswalks in where appropriate. They will do an inventory and assessment over the winter. This recommendation will be brought forward again. He discussed ADA requirements for the sidewalks.

Mr. Kivlan discussed cruise ships. He thinks the Commission should look into this—including the Portsmouth area. He discussed working with the Port Authority. Mr. Griffin said Portsmouth has problems. Maybe the Commission could look into Newburyport also. They are ideal Towns for cruise ships. Using C&J Transportation could be utilized as well.

Mr. Nyhan asked for volunteerism and asked Mr. Kivlan to speak with the Port Authority and Mr. Kivlan agreed to do that. Mr. Preston said he should talk to the Chamber of Commerce first. Mr. Nyhan will place this matter on the agenda for next meeting for an update.

Mr. Kivlan discussed casino gambling and stated he feels the Legislature should look at Seabrook.

Mr. Nyhan discussed meeting dates for December. The only feasible day for meeting is the 13<sup>th</sup> of December. It should be the 27<sup>th</sup>, but the Commission should not do meeting between Christmas and New Years. The 20<sup>th</sup> may be too close. Mr. Preston asked if we had a meeting last December. Mr. Preston said if we don't have anything pressing, we should cancel. Mr. Rage said we should wait until January.

Deadlines of warrant articles were discussed. Mr. Nyhan asked for deadlines and Mr. Griffin said January 9<sup>th</sup> or 10<sup>th</sup> for non-Selectmen warrant articles. Zoning articles are earlier. Mr. Steffen said we have four Amendments coming for the Planning Board's December 5<sup>th</sup> meeting. They were suggested by Bill O'Brien of the ZBA. Some are applicable to the beach area. Multi-family setbacks – to waive setback requirements in the Village District Area is an article. Right now it's 40' which is impractical for a multi-family use. Mr. Steffen said the other is message signs, such as what the Casino has. The ZBA gives many variances for signs.

Mr. Nyhan asked about the warrant article of the Village District—smoking paraphernalia, etc. It was discussed that the laws of NH would have to be changed. Displaying the paraphernalia will be discussed with some local businesses. He understands there is nothing the Town can do about it.

The 31<sup>st</sup> of January, 2013 will be the next meeting.

Adjourn

**MOTION** by Mr. Preston to adjourn.

**SECOND** by Mr. Rage.

**VOTE: 8 – 0 – 0**

**MOTION PASSED.**

Meeting adjourned at 8:30 p.m.

Laurie Olivier  
Secretary